

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

East Phillips Neighborhood and
Edward Henderson,

File No. 20-cv-1648 (ECT/KMM)

Plaintiffs,

v.

**ORDER ACCEPTING REPORT
AND RECOMMENDATION**

City of Minneapolis,

Defendant.

Magistrate Judge Katherine Menendez issued a Report and Recommendation on October 20, 2020. ECF No. 4. No party has objected to that Report and Recommendation, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT:**

1. The Report and Recommendation [ECF No. 4] is **ACCEPTED**;
2. This action is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute under Federal Rule of Civil Procedure 41(b); and
3. Plaintiffs' Application to Proceed in District Court Without Prepaying Fees or Costs [ECF No. 2] is **DENIED AS MOOT**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: December 8, 2020

s/ Eric C. Tostrud

Eric C. Tostrud

United States District Court